



Docket: 1224 CON

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: James F. McGuckin, Jr., et al

Serial No: 10/638,846 Examiner: Lindsay

Filed: August 11, 2003 Group Art Unit: 3731

For: **VEIN FILTER**

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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SEP 26 2003

TECHNOLOGY CENTER R3700

**INFORMATION DISCLOSURE STATEMENT**

In accordance with Applicant's duty of disclosure under 37 C.F.R. §1.56, Applicants submit the enclosed PTO-1449 for the Examiner's consideration.

It is respectfully requested that the reference(s) listed on Form PTO-1449 be considered during Examination of the above-identified application and made of record therein. This submission is believed to be in compliance with 37 C.F.R. §1.97 and 37 C.F.R. §1.98. Copies of the references previously cited by or submitted to the Patent and Trademark Office in parent application serial no. 09/883,819, filed June 18, 2001, are not provided herein pursuant to MPEP Section 609.

The citation of the listed item(s) is not a representation that it constitutes a complete or exhaustive listing of prior art or that it constitutes prior art. The item(s) listed is/are submitted in good faith, but is/are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner, it will assist the Examiner in identifying fields of search and in making as full and complete a search as possible.

The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

This information disclosure statement is being filed within three (3) months of the filing date of this application.

This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application.

To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action in connection with this case.

Enclosed is a certificate under 37 C.F.R. §1.97 (e)(i).

Enclosed is a petition under 37 C.F.R. §1.97 (d)

Please charge the petition fee of \$130.00 required under 37 C.F.R. §1.17 (i)(1) to Deposit Account No. 501567

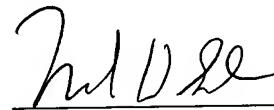
As set forth in 37 C.F.R. §1.97 (c), to the best of Applicant(s) knowledge, this information disclosure statement is being filed before either the mailing of a final action under 37 C.F.R. §1.113 or the mailing of a notice of allowance under 37 C.F.R. §1.113, and is accompanied by the \$180.00 fee as provided for in 37 C.F.R. §1.17(p).

Please charge the \$180.00 fee required by 37 C.F.R. §1.17(p) to Deposit Account No. **501567**.

Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §1.16 and/or 37 C.F.R. §1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account **501567**. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend time as required and charge Deposit Account No. **501567** therefor. **TWO COPIES OF THIS SHEET ARE ENCLOSED.**

Early and favorable consideration of the case is respectfully requested.

Dated: 9/16/03

  
Neil D. Gershon  
Registration No. 32,225  
Attorney for the Applicants

Rex Medical, L.P.  
2023 Summer St.  
Suite 2  
Stamford, CT. 06905

Form PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (Use several sheets if necessary)	ATTY. DOCKET NO.  1224 CON	SERIAL NO.  10/638,846
	APPLICANT James F. McGuckin, Jr., et al	GROUP Art Unit: 3731
	FILING DATE August 11, 2003	

## U.S. PATENT DOCUMENT

EXAMINER INITIALS	DOCUMENT NUMBER							DATE	NAME		CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	3	9	5	2	7	4	7	04/27/76	Kimmell, Jr.				
	4	4	2	5	9	0	8	01/17/84	Simon				
	4	6	1	9	2	4	6	10/28/86	Molgaard-Nielsen, et al				
	4	6	8	8	5	5	3	08/25/87	Metals				
	4	7	2	7	8	7	3	03/01/88	Mobin-Uddin				
	4	7	8	1	1	7	7	11/01/88	Lebigot				
	4	7	9	3	3	4	8	12/27/88	Palmaz				
	4	8	1	7	6	0	0	04/04/89	Herms, et al				
	4	8	3	2	0	5	5	05/23/89	Palestrant				
	4	9	5	7	5	0	1	09/18/90	Lahille, et al				
	5	0	5	9	2	0	5	10/22/91	El-Nounou, et al				
	5	1	5	2	7	7	7	10/06/92	Goldberg, et al				

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		B. Braun Medical, Inc, Vena Tech™ Vena Cava Filters, 2/00.
		Gianturco-Roehm, Bird's Nest® Vena Cava Filter
		Cordis Corporation, TrapEase™ Permanent Vena Cava Filter, "A Small, Easy and Verstaile System for Optimal Pulmonary Emboli Prevention", 2000 (4 pages)

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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	5 3 2 4 3 0 4	06/28/94	Rasmussen			
	5 3 5 0 3 9 8	09/27/94	Pavcnik, et al			
	5 5 3 1 7 8 8	07/02/96	Dibie, et al			
	5 6 2 6 6 0 5	05/06/97	Irie, et al			
	5 7 0 9 7 0 4	01/20/98	Nott, et al			
	5 7 4 6 7 6 7	05/05/98	Smith			
	5 7 7 6 1 6 2	07/07/98	Kleshinski			
	5 8 3 6 9 6 8	11/17/98	Simon, et al			
	5 8 9 3 8 6 9	04/13/99	Barnhart, et al			
	5 8 9 5 3 9 8	04/20/99	Wensel, et al			

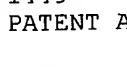
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	5	9	6	8	0	7	1	10/19/99	Chevillon, et al				
	5	9	8	4	9	4	7	11/16/99	Smith				
	6	0	0	7	5	5	8	12/28/99	Ravenscroft, et al				
	6	0	1	3	0	9	3	01/11/00	Nott, et al				
	6	0	5	9	8	2	5	05/09/00	Hobbs, et al			SEP 26 2003	
	6	0	6	3	1	1	3	05/16/00	Kavteladze, et al				
	6	0	8	0	1	7	8	06/27/00	Meglin				
	6	0	9	9	5	4	9	08/08/00	Bosma, et al			TECHNOLOGY CENTER R3700	
	6	1	2	6	6	7	3	10/03/00	Kim, et al				
	6	1	4	6	4	0	4	11/14/00	Kim, et al				
	6	1	6	5	1	7	9	12/26/00	Cathcart, et al				

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	6 1 6 5 1 9 8	12/26/00	McGurk, et al			
	6 1 6 8 5 7 9	01/02/01	Tsugita			
	6 1 7 1 3 2 7	01/09/01	Daniel, et al			
	6 1 7 9 8 5 1	01/30/01	Barbut, et al			
	6 1 8 7 0 2 5	02/13/01	Machek			
	6 1 9 3 7 3 9	02/27/01	Chevillon, et al			
	6 2 1 4 0 2 5	04/10/01	Thistle, et al			
	6 2 1 7 6 0 0	04/17/01	DiMatteo			
	6 2 3 5 0 4 4	05/22/01	Root, et al			
	6 2 3 5 0 4 5	05/22/01	Barbut, et al			

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**CERTIFICATE OF MAILING**

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I hereby certify that the following:

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- Return postcard

are being deposited with the United States Postal Service first class mail on the Date of Deposit indicated above in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Neil Gershon

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